S.B. Criminal Misc. Bail Application No.5263/2006

Date : 28.11.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. R.S. Gill for the applicants.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that the co-accused Prem Kumar has already been granted bail by this Court in S.B. Criminal Misc. Bail Application No.4850/2006. He submits that learned Sessions Judge rejected the bail application of the applicant in arbitrary manner without assigning any reason and reason assigned was not factual. In the last, he prays that accused applicants may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully perused the material available on record.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicants (1) Dharampal s/o Parama Ram (2) Gorakha Ram s/o Dhunkal Ram (3) Kaku Singh alias Kaka alias Ranjeet s/o Man Singh and (4) Leelu shall be released on bail in FIR No.256/2006 P.S. Pili Banga, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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